

### **REMARKS**

The Office Action of June 6, 2006 has been reviewed and the Examiner's comments carefully considered. Independent claim 2 has been amended hereinabove. No new matter has been added. Support for these amendments can be found in the specification and drawings as originally filed. In addition, the specification has been amended to correct minor informalities. Claim 1 was withdrawn from consideration by the Examiner in view of an earlier restriction requirement. The Applicant reserves the right to file a divisional application directed to the non-elected claim. Accordingly, claims 2-4 were examined on their merit in this application, and claim 2 is in independent form.

#### **Specification Objections**

The specification stands objected to for minor informalities. Specifically, the Examiner contends that the phrase "In particular, the layer 15a" on page 9, line 7 of the specification should be rewritten to read "In particular, if the layer 15a". The Examiner also objects to the title of the invention because it is not descriptive. The Examiner recommends amending the title to "METHOD OF MANUFACTURING A FILING TOOL FOR HARDENED-SKIN CARE". The Applicant believes that the above amendments to the specification overcome the Examiner's informality objections.

Reconsideration and withdrawal of these objections are respectfully requested.

#### **35 U.S.C. §112 Rejections**

Claims 2-4 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Specifically, the Examiner has rejected claim 2 because it is unclear how one is to fix the stone powders between the first and second nickel-plated layers as a sixth and subsequent step to applying the second nickel-plating layer of the fifth step.

The Applicant believes that the above amendment to claim 2 overcomes the Examiner's indefiniteness rejection.

The Examiner has also rejected claim 4 as being indefinite because the claim discusses an additional, third nickel-plating process after the claimed sixth step, whereas the

specification only describes two nickel-plating processes. The Applicant respectfully disagrees with the Examiner. On page 9, lines 1-9 of the Applicant's specification, a first nickel-plating process is discussed. Then, on page 10, lines 4-6 of the Applicant's specification, a second nickel-plating process is performed. Finally, on page 11, lines 21-25 of the Applicant's specification, it is described that after the sixth step of removing the masking pattern, the metal plate is acid-cleaned, the surface thereof is activated, and the nickel-plating process is repeated (i.e., a third nickel plating process). This third nickel-plating process increases the surface gloss of the filing tool. Therefore, the Applicant discloses at least three nickel-plating processes in the specification instead of two as the Examiner contends. Reconsideration and withdrawal of this rejection is respectfully requested.

#### 35 U.S.C. §103 Rejections

Claims 2-4 stand rejected under 35 U.S.C. §103(a) for obviousness for obviousness over United States Patent No. 6,450,175 to Park, in view of United States Patent No. 6,145,512 to Daley. In view of the following remarks, the Applicant respectfully requests reconsideration of this rejection.

As defined by independent claim 2, the present invention is directed to a method of manufacturing a filing tool for hardened-skin care comprising a plurality of filing parts formed on a metal plate. The method includes a first step of setting a patterned photosensitive dry film on the metal plate; a second step of exposing the metal plate set with the dry film to light; a third step of removing a non-exposed portion of the dry film to form a masking pattern; a fourth step of plating nickel on the metal plate formed with the masking pattern to form a first nickel-plated layer, followed by uniformly applying stone powders on the first nickel-plated layer; a fifth step of further plating nickel on the stone powders to form a second nickel-plated layer thereby fixing the stone powders between the first nickel-plated layer and the second nickel plating layer; and a sixth step of removing the masking pattern.

The Park patent, which is the United States equivalent of Korean Utility Model No. 20-0253679 cited in the Applicant's specification on page 2, line 14, is directed to a nail care instrument with abrasive portions formed by an electroplating process. The nail care instrument includes a base 6 of synthetic resin, a copper film 3 coated on one surface of

the base 6, a plurality of recesses 2 formed in the copper film 3, and abrasive portions 1 formed on the copper film 3. The abrasive portions are formed by electroplating an abrasive substance, such as white alumina, on the copper film 3 (see Fig. 4).

The Park patent does not teach or suggest the final claimed step of removing the masking pattern. The Examiner equates the exposed photoresist solution portions discussed at column 2, lines 56-60 in the Park patent to the claimed masking pattern. However, the Park patent discloses that the exposed photoresist solution portions are hardened and never describes that these hardened portions are removed. Therefore, the Park patent fails to teach or suggest the step of removing the masking pattern

The Daley patent fails to cure this deficiency. The Daley patent is directed to a method of manufacturing a colored and decorative nail file, and is provided by the Examiner as a teaching of an abrasive material that includes a base coat 52, an abrasive portion 54 fused to the base coat 52, and a sizing coat 56 applied over the abrasive portion 54 (see Fig. 5). The Daley patent further describes that the base coat 52 and sizing coat 56 are preferably the same material (see column 2, lines 17-21). However, the Daley patent fails to teach or suggest the claimed step of removing a masking pattern. Accordingly, the Daley patent does not cure the deficiencies of the Park patent.

Independent claim 2 also requires the step of “plating nickel on the metal plate ... to form a first nickel-plated layer, followed by uniformly applying stone powders on the first nickel-plated layer”. The Park patent fails to teach or suggest such a step. Instead, the Park patent discloses that nickel and alumina particles are electroplated onto the copper film simultaneously (see column 3, lines 8-18). The Daley patent does not cure this deficiency.

Furthermore, the Park patent does not teach or suggest forming a plurality of filing parts on a metal plate as required by independent claim 2. Instead, the Park patent discloses that the base 6 is made of a synthetic resin (see column 2, lines 30-32). The Daley patent does not cure this deficiency. The Daley patent discloses that the substrate 46 is constructed from a material such as paper, wood or plastic (see column 5, lines 8-10) and that the base coat 52 and sizing coat are binding materials such as epoxy (see column 2, lines 13-19) or resins (see column 5, line 30-37 and 45-48). The substrate 46 accepts an adhesive 48 to bond the layers together (see column 5, lines 10-12). Accordingly, the Daley patent does not teach or suggest form a plurality of filing parts on a metal plate.

When evaluating a claim for determining the question of obviousness, all of the limitations of the claim must be evaluated. Where claimed limitations are simply not present in the prior art, a *prima facie* obviousness rejection is not supported. Accordingly, since the combination of the Park patent and the Daley patent fail to teach or suggest several limitations of independent claim 2 as discussed above, a *prima facie* case of obviousness has not been established.

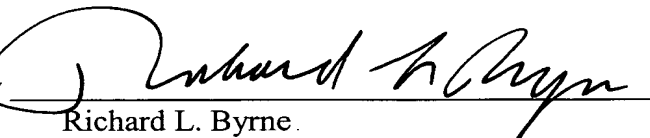
For the foregoing reasons, the Applicant believes that the subject matter of independent claim 2 is not rendered obvious by the Park patent in view of the Daley patent. Reconsideration and withdrawal of the rejection of claim 2 are respectfully requested.

Claims 3 and 4 depend from and add further limitations to independent claim 2 and are believed to be patentable for the reasons discussed hereinabove in connection with independent claim 2. Reconsideration and withdrawal of the rejection of claims 3 and 4 are respectfully requested.

Based on the foregoing amendments and remarks, reconsideration of the rejections and allowance of pending claims 2-4 are respectfully requested.

Respectfully submitted,

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